



## Senate

General Assembly

**File No. 265**

February Session, 2006

Substitute Senate Bill No. 285

*Senate, March 31, 2006*

The Committee on Environment reported through SEN. FINCH of the 22nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT CONCERNING PERSONAL WATERCRAFT AND CHILDREN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 15-140j of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) As used in this section, "personal watercraft" is any inboard  
4 powered vessel less than sixteen feet in length which has an internal  
5 combustion engine powering a water-jet pump as its primary source of  
6 motor propulsion and which is designed to be operated by a person  
7 sitting, standing or kneeling on the vessel, rather than the conventional  
8 manner of sitting or standing inside the vessel.

9 (b) On and after June 23, 1993, no person shall operate a personal  
10 watercraft unless he has successfully completed a course in safe  
11 personal watercraft handling approved by the Commissioner of  
12 Environmental Protection and has been issued a certificate of personal  
13 watercraft operation by the Commissioner of Environmental  
14 Protection. Notwithstanding the provisions of this section, the

15 commissioner may modify or suspend requirements for a certificate of  
16 personal watercraft operation by written authorization with respect to  
17 any marine event authorized by the commissioner or upon receipt of a  
18 copy of the United States Coast Guard authorization for a marine  
19 event.

20 (c) The commissioner may adopt regulations in accordance with the  
21 provisions of chapter 54 establishing the content of courses in safe  
22 personal watercraft handling. Such regulations may include provisions  
23 for examinations, issuance of certificates of personal watercraft  
24 operation and establishment of a reasonable fee for such course and  
25 examination and for the issuance of a certificate and duplicate  
26 certificate. Any fee collected pursuant to regulations adopted under  
27 this section shall be deposited in the boating account established  
28 pursuant to section 15-155.

29 (d) Notwithstanding subsection (b) of this section, any person who  
30 purchases a new or used personal watercraft after May 20, 1994, may,  
31 upon vessel registration, apply to the Commissioner of Environmental  
32 Protection for a temporary certificate of personal watercraft operation  
33 which shall be valid for six months from the date of registration,  
34 provided the applicant has successfully completed a course in safe  
35 personal watercraft handling prior to application for the temporary  
36 certificate. No person shall be issued more than one temporary  
37 certificate of personal watercraft operation.

38 (e) The commissioner may enter into a reciprocal agreement with  
39 any other state which has a similar safe personal watercraft handling  
40 certificate program which the commissioner deems acceptable for  
41 purposes of this subsection. Any person who successfully completes a  
42 course in safe personal watercraft handling and holds a certificate or  
43 license from another state which has such a reciprocal agreement with  
44 the commissioner may operate a personal watercraft on the waters of  
45 this state.

46 (f) Any person required to obtain a certificate of personal watercraft  
47 operation pursuant to this section shall have such certificate on board

48 at all times while operating a personal watercraft. On demand of an  
49 officer authorized to enforce the provisions of this chapter, such person  
50 shall exhibit the certificate to the officer.

51 (g) No passenger shall be permitted to ride in front of the operator  
52 on a personal watercraft. No passenger shall be permitted to ride upon  
53 a personal watercraft unless the passenger is able to securely hold onto  
54 the person in front of them or to the handholds on the personal  
55 watercraft, and is able to keep both feet on the deck of the personal  
56 watercraft so as to maintain balance while the personal watercraft is in  
57 operation.

58 ~~[(g)]~~ (h) Any person who violates any provision of this section shall  
59 be fined not less than sixty dollars nor more than two hundred fifty  
60 dollars for each such violation.

61 ~~[(h)]~~ (i) A certificate of personal watercraft operation may be  
62 suspended or revoked in accordance with the provisions of section 15-  
63 133, 15-140l or 15-140n.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	15-140j

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Environmental Protection	GF - None	None	None
Judicial Dept.	GF -Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

#### ***Municipal Impact:***

Municipalities	Effect	FY 07 \$	FY 08 \$
Various Municipalities	None	None	None

### ***Explanation***

It is anticipated that the changes in enforcement and fines will have no fiscal impact or workload impacts to the Department of Environmental Protection (DEP) or municipal officers.

The bill could increase the number of violations under CGS 15-140j, which is punishable by a fine of \$120. Any revenue gain is anticipated to be minimal (ie., less than \$50,000) on an annual basis.

### ***The Out Years***

The ongoing fiscal impact identified above would continue into the future.

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**OLR Bill Analysis**  
**sSB 285**

***AN ACT CONCERNING PERSONAL WATERCRAFT AND CHILDREN.***

**SUMMARY:**

This bill prohibits anyone from riding in front of the operator of a personal watercraft (also known as a jet ski). It also prohibits any passenger from riding on a personal watercraft behind the operator unless he is able to (1) securely hold on to the person in front of him or to the watercraft's handholds and (2) keep both feet on the craft's deck to maintain balance while it operates.

Violators are subject to a fine of between \$60 and \$250 for each violation.

EFFECTIVE DATE: October 1, 2006

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/10/2006)